

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Bobby T. Sheppard,	:	Death Penalty Case
	:	
Petitioner,	:	Case No. 1:00cv00493
	:	
-vs-	:	Chief Judge Walter Herbert Rice
	:	
Margaret Bagley, Warden,	:	Magistrate Judge Merz
	:	
Respondent.	:	

**MOTION OF PETITIONER BOBBY SHEPPARD TO FILE
HIS MERITS BRIEF/TRVERSE INSTANTER**

Petitioner hereby moves for leave to file *instanter* the Merits Brief/Traverse of
Petitioner Bobby Sheppard. Respondent has been contacted regarding this request and
does not oppose the motion.

Respectfully submitted,

s/Geoffrey J. Moul

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CERTIFICATE OF SERVICE

I hereby certify that on September 25, 2003, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Charles L. Wille
Assistant Attorney General
Capital Crimes Section
30 E. Broad Street, 26th Floor
Columbus, OH 43215

s/Geoffrey J. Moul